

<input checked="checked" type="checkbox"/> FILED	<input type="checkbox"/> RECEIVED
<input type="checkbox"/> ENTERED	<input type="checkbox"/> SERVED ON
COUNSEL/PARTIES OF RECORD	
<div style="border: 1px solid black; padding: 5px; margin: 5px auto; width: 150px;"> NOV 30 2020 </div>	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

MCDONALD CARANO LLP
 Rory T. Kay (NSBN 12416)
 2300 West Sahara Avenue, Suite 1200
 Las Vegas, NV 89102
 Telephone: (702) 873-4100
 Facsimile: (702) 873-9996

QUINN EMANUEL URQUHART & SULLIVAN, LLP
 Alex Spiro (admitted pro hac vice)
 alexspiro@quinnemanuel.com
 51 Madison Avenue, 22nd Floor
 New York, New York 10010
 Telephone: (212) 849-7000

QUINN EMANUEL URQUHART & SULLIVAN, LLP
 Michael T. Lifrak (admitted pro hac vice)
 michaellifrak@quinnemanuel.com
 Jeanine M. Zalduendo (admitted pro hac vice)
 jeaninezalduendo@quinnemanuel.com
 Aubrey Jones (admitted pro hac vice)
 aubreyjones@quinnemanuel.com
 865 South Figueroa Street, 10th Floor
 Los Angeles, California 90017-2543
 Telephone: (213) 443-3000

Attorneys for Plaintiff/Counter Defendant
 TESLA, INC.

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

TESLA, INC.,
 Plaintiff,
 v.
 MARTIN TRIPP,
 Defendant.

Case No. 3:18-cv-00296-MMD-CLB
STIPULATED JUDGMENT

AND RELATED COUNTERCLAIMS

MCDONALD CARANO
 2300 WEST SAHARA AVENUE, SUITE 1200 • LAS VEGAS, NEVADA 89102
 PHONE 702.873.4100 • FAX 702.873.9966

1 This Stipulated Judgment is being entered by and between plaintiff and counterclaim
2 defendant Tesla, Inc. ("Tesla"); and defendant and counterclaimant Martin Tripp ("Tripp"),
3 based upon the following facts and agreements:

- 4 A. Tesla filed this action on June 20, 2018 (ECF No. 1).
5 B. Tripp filed an answer and counterclaim on July 31, 2018. (ECF No. 25).
6 C. The Court issued an Order granting Tesla's motion for summary judgment related to
7 Tripp's counterclaim on September 17, 2020. (ECF No. 217).
8 D. Based on an agreement between the parties, the Court ordered on August 14, 2020
9 that Tripp pay Tesla \$25,000 in sanctions due to his violation of the Court's
10 protective orders. (ECF No. 211).
11 E. Whereas Tripp acknowledges and agrees that he violated the Court's Protective
12 Order and does not contest Tesla's contentions that he violated the Defend Trade
13 Secrets Act, 18 U.S.C. §§ 1836, the Nevada Uniform Trade Secrets Act, Nev. Rev.
14 Stat §§ 600A. 10 *et seq.*, breached the Tesla Motors, Inc. Employee Proprietary
15 Information and Inventions Agreement, breached his fiduciary duties to Tesla, and
16 violated the Nevada Computer Crimes Law, Nev. Rev. Stat. § 205.4765. Tripp
17 further acknowledges that his counterclaims against Tesla were funded by Cable Car
18 Capital, short seller of Tesla stock.

19
20 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

- 21 A. Plaintiff Tesla shall have and recover from defendant and counterclaimant Tripp
22 previously-awarded sanctions in the amount of \$25,000.
23 B. Tesla shall have the right to discovery consistent with Rule 69(a)(2), including
24 but not limited to discovery regarding Tripp's income and any source and terms of litigation
25 funding previously obtained by Tripp if Tripp fails to make agreed-upon payments of the
26 previously-awarded sanctions. The Court shall issue subpoenas necessary to effect this
27 provision, if needed.

1 C. Plaintiff Tesla shall have and recover from defendant and counterclaimant Tripp
2 damages in the amount of \$400,000 pursuant to the terms of a settlement agreement between the
3 parties.

4 D. Tripp shall take nothing through his counterclaim.

5 E. The parties shall bear their own costs and attorney's fees.

6 F. The parties shall remain in compliance with the Court's protective orders in this
7 matter, including ECF Nos. 44 and 205, and the Court shall retain jurisdiction related thereto.

8 G. The parties will destroy all Confidential and Attorneys' Eyes Only Information in
9 their possession within 90 (ninety) days of the date of the Stipulated Judgment, in conformance
10 with the terms of Section 16 of the Protective Order (ECF No. 44), and provide a certification
11 that they have done so.

12 H. Tripp will destroy any documents that he acquired through his work at Tesla and
13 provide a certification within 90 (ninety) days of the date of the Stipulated Judgment that he had
14 done so.

15 I. From the date of this Stipulated Judgment, the parties will not publicly disparage
16 each other (including any witness associated with this case) in any way. Specifically, Tripp
17 shall be enjoined from contacting, harassing, or disparaging Tesla or any of its former or current
18 executives or employees; Tripp shall be enjoined from discussing his employment at Tesla; and
19 Tripp shall be enjoined from entering any Tesla property at any time.

20 J. The parties agree that this Stipulated Judgment can be enforced worldwide,
21 including the District of Nevada and/or where Tripp resides, including Hungary and that Tripp
22 waives all defenses, objections, or other challenges, including to lack of jurisdiction, to
23 enforcement of this Stipulated Judgment.

24 K. Upon entry of this Stipulated Judgment, the parties shall dismiss their claims.
25 However, the Court shall retain jurisdiction regarding enforcement of this Stipulated Judgment
26 and any related agreement between the parties.

1 IT IS SO STIPULATED.

2 

3
4 By Austin Marsh, Esq.

5 Tesla, Inc.

6 Dated: November 30, 2020

7
8 By 

9 Martin Tripp

10 Dated: November 30, 2020

11
12
13
14 **ORDER**

15 IT IS SO ORDERED.

16 

17 Date: November 30, 2020

18 Hon. Miranda M. Du
19 CHIEF UNITED STATES DISTRICT JUDGE

20 Case 3:18-cv-00296-MMD-CLB Stipulated judgment
21
22
23
24
25
26
27
28